

67V

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff

v.

Rafaela SAUCEDO-MONTES**AKA: Rachel Ann Evans****AKA: Carmen Dolores Escobosa****Defendant**

) Magistrate Docket No. _____

)

) COMPLAINT FOR

) VIOLATIONS OF:

) TITLE 18 U.S.C. § 1544

) Misuse of Passport (Felony)

)

) TITLE 18 U.S.C. § 1544

) Misuse of Passport (Felony)

)

)

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DEPUTY

The undersigned complainant, being duly sworn, states:

COUNT 1:

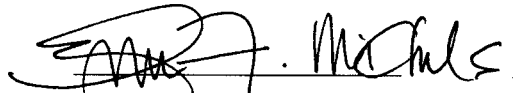
On or about May 2, 2008, within the Southern District of California, DEFENDANT Rafaela SAUCEDO-MONTES did knowingly and willfully use a U.S. Passport issued or designed for the use of another, to wit: DEFENDANT presented U.S. Passport number 210903042, issued to Carmen Dolores Escobosa, knowing full well that she was not Carmen Dolores Escobosa, and that the passport was not issued or designed for her use.

COUNT 2:

On or about May 20, 2008, within the Southern District of California, DEFENDANT Rafaela SAUCEDO-MONTES did knowingly and willfully use a U.S. Passport issued or designed for the use of another, to wit: Defendant presented U.S. Passport number 425742640, issued to Rachel Ann Evans, knowing full well that she was not Rachel Ann Evans, and that the passport was not issued or designed for her use.

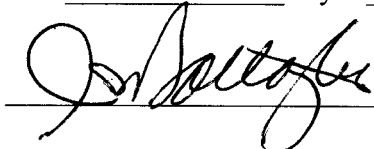
All in violation of Title 18, United States Code, Section 1544.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



Lynn F. Michaels
Special Agent
U.S. Department of State
Diplomatic Security Service

SWORN AND SUBSCRIBED TO before me

This 21ST day of May, 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT & STATEMENT OF FACTS

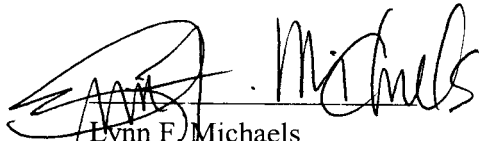
I, Lynn Falanga Michaels, being duly sworn, declare under penalty of perjury that the following statement is true and correct:

1. I am a Special Agent (SA) with the U.S. Department of State, Diplomatic Security Service (DSS) assigned to the San Diego, CA Resident Office. I have been so employed for 10 ½ years and have investigated numerous violations involving the false application for and misuse of United States Passports and Visas.
2. During the performance of my duties, I have obtained evidence that Rafaela SAUCEDO-MONTES, aka Rachel Ann Evans, aka Carmen Dolores Escobosa, hereafter referred to as DEFENDANT, used U.S. Passports, not belonging to HER, as identification to gain entry into the U.S. This Affidavit is made in support of a complaint against DEFENDANT for violations of Title 18, U.S.C., Section 1544, Misuse of a Passport.
3. On 05/02/08, at approximately 1530 hours, DEFENDANT presented U.S. Passport number 210903042 in the name of Carmen Dolores ESCOBOSA to a CBP Officer with the intent to gain entry to the U.S. DEFENDANT was detained and interviewed by CBP Officers and it was determined that she was not Carmen Dolores Escobosa, and subsequently SHE was expeditiously removed to Mexico.
4. On 05/20/2008, at approximately 0750 hours, DEFENDANT presented U.S. Passport number 425742640 and CA DMV ID card number D3044202, both in the name of Rachel Ann EVANS to a CBP Officer with the intent to gain entry to the U.S. DEFENDANT was questioned by CBP Officers and SHE admitted that SHE was not Rachel Ann EVANS.
5. On 05/20/2008, at approximately 1311 hours, RA and DSS SA Bruce Palombo interviewed DEFENDANT at the San Ysidro POE. Affiant conducted checks of the U.S. Department of State, US Passport database. Record checks revealed that US Passport number 425742640 had been issued on 21 May 2007. DEFENDANT stated that HER intent was to travel to Los Angeles to get a better paying job.
6. DEFENDANT admitted that the U.S. Passport SHE used on this day was not issued to HER for HER use.
7. On 05/20/2008, record checks were conducted and revealed that DEFENDANT had attempted to illegally enter the U.S. six (6) previous times in the last nineteen (19) days. DEFENDANT was expeditiously removed on both the 02 and 05 May 2008 attempts.
8. On the basis of the facts presented in this probable cause statement, there is probable cause to believe that:
 - a. DEFENDANT named in this probable cause statement, committed the offence on 02 May 2008 - in violation of Title 18, United States Code, Section 1544: Misuse of a Passport - when SHE knowingly and willfully used the U.S. Passport belonging to

G.F.N

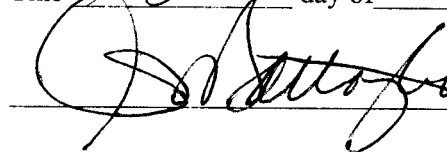
another, Carmen Dolores ESCOBOSA, knowing that it was not issued or designed for HER use.

- b. DEFENDANT named in this probable cause statement, committed the offence on 20 May 2008 - in violation of Title 18, United States Code, Section 1544: Misuse of a Passport - when SHE knowingly and willfully used the U.S. Passport belonging to another, Rachel Ann EVANS, knowing that it was not issued or designed for HER use.


Lynn F. Michaels
Special Agent
U.S. Department of State
Diplomatic Security Service

SWORN AND SUBSCRIBED TO before me

This 21st day of May, 2008.

 UNITED STATES MAGISTRATE JUDGE

Defendant Locator Form

(Place behind the Magistrate Information Sheet of Court Copy)
(Revised: 5/5/04)

U.S. Customs & Border Protection, San Ysidro Port Prosecutions Unit
U.S. Attorney Liaison (619) 557-6265 or 7856

Name of Defendant: Rafaela SAUCEDO-Montes DOB: 10/24/78

A-File Number: A88 924 378 Charge: 18USC1546

MCC Information (619) 232-4311, Ext. 430 (MCC Records)

Arrival Date at MCC: 05/21/08 Time: 0900 hrs

Booking Number: _____

Transport Officer: _____ Star #: _____

Receiving Official at MCC: _____

Juvenile Hall Information (858) 694-4505 or Booking (858) 694-4766

Arrival Date at Juvenile Hall: _____ Time: _____

Juvenile Hall Booking Number: _____

Transport Officer: _____ Star #: _____

Receiving Official at Juvenile Hall: _____

Hospitalized Defendants

Name of Medical Center/Detox Unit: _____

Phone Number of Medical Center/Detox Unit: _____

Name of Person Receiving Defendant: _____

Date of Hospitalization: _____ Time: _____

Reason for Hospitalization: _____

Room Number: _____

Phone Number at Nurses' Station: _____

Expected Date of Defendant's Release from Hospital: _____

GTN

CONTINUATION RE:

CONTACT WITH BP/CBP:

05/02/2008

05/02/2008

05/06/2008

05/07/2008

05/12/2008

05/17/2008

05/20/2008

DEPORTATIONS/ER's:

05/02/2008

05/06/2008